

February 19, 2021

Sent via Electronic Mail to Kathleen.Allen@LA.GOV
And via Facsimile to 225-381-7271

Attorneys at Law

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Ms. Kathleen Allen
LOUISIANA BOARD OF ETHICS
P.O. Box 4368
Baton Rouge, LA 70821

Re: Request for Advisory Opinion Regarding the Mid-City Security District

Dear Ms. Allen:

We write to you today seeking an advisory opinion on behalf of the Mid-City Security District ("MCSD"). The MCSD seeks an opinion on whether one of its commissioners may perform unpaid volunteer work for the District after his term expires.

MCSD was created by La. R.S. 33:9091.14 and is a political subdivision of the state. MCSD was established for the purpose of promoting and encouraging security in the Mid-City neighborhood of New Orleans. MCSD's primary activity is to contract with the City of New Orleans for the provision of neighborhood patrols by off duty officers of the New Orleans Police Department ("NOPD"). The MCSD is governed by a board of five commissioners and has no staff. The commissioners all serve on a volunteer basis and are not compensated, but they may be reimbursed for reasonable out-of-pocket expenses directly related to their service. *See* La. R.S. 33:9091.14(D)(9). The coordination of the NOPD patrols takes a significant amount of work and all of this work is performed by the commissioners.

James Olsen is the current chair of MCSD. His term of service expires in March of 2021 and he will not be eligible for re-appointment until March of 2023. Mr. Olsen has devoted significant time to the MCSD and has a lot of institutional knowledge. He has offered to volunteer his services to the MCSD after his term expires. The District would like to accept Mr. Olsen's offer, but want to ensure that it is in compliance with the Louisiana Code of Governmental Ethics ("Code"). Mr. Olsen will not receive any compensation, aside from reimbursement for reasonable out-of-pocket expenses directly related to this volunteer service. Mr. Olsen will be acting as a volunteer and will not have a contract with the MCSD.

We have reviewed the Code and have not found any prohibitions on Mr. Olsen volunteering his time with MCSD. The Code would prohibit Mr. Olsen from entering into a contract with MCSD within two years of leaving his post. La. R.S. 42:1121. However, Mr. Olsen will not be entering into a

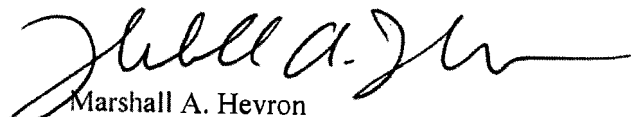
contract with MCSD and at no point will he be compensated for his services. The Code will also prohibit Mr. Olsen from representing another person, for compensation, in a transaction with MCSD. *Id.* Mr. Olsen does not intend to represent other persons in front of MCSD and will not be compensated for his volunteer services. None of the Code's other provisions on post government employment address this issue or provide any prohibition on the proposed arrangement. As a result, we do not believe that there will be any issue with Mr. Olsen volunteering his time to MCSD.

Thank you in advance for your consideration in this matter. Please place this request on the docket for the Board's April 2021 meeting. If you should have any questions or comments about this request, do not hesitate to contact us. Thank you for your cooperation.

We remain,

Sincerely yours,

ADAMS AND REESE LLP

A handwritten signature in black ink, appearing to read "Marshall A. Hevron", written over the printed name.

Marshall A. Hevron

Lee C. Reid

Kathleen Allen

From: Marshall Hevron <Marshall.Hevron@arlaw.com>
Sent: Friday, February 19, 2021 11:34 AM
To: Kathleen Allen
Subject: Request for Advisory Opinion
Attachments: MCSD - Request for Advisory Opinion 2.19.21.pdf

EXTERNAL EMAIL: Please do not click on links or attachments unless you know the content is safe.

Kathleen,

Please see the attached request for advisory opinion that we are submitting on behalf of the Mid City Security District. Please don't hesitate to contact me if you should have any questions.

Best,

Marshall

Marshall Hevron

Partner

ADAMS AND REES

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website bio vCard map



Information related to our COVID-19 resources [Here](#)

ADAMS AND REESE LLP



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We remain,

Sincerely yours,

ADAMS AND REESE LLP



Marshall A. Hevron

Lee C. Reid

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Facsimile: (504) 566-0210
1-800-725-1990

DATE 2/19/2021

TO Kathleen Allen
Louisiana Board of Ethics

RE Mid-City Security District
April 2021 Docket

From

Marshall Hevron

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Adams & Reese
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